



L6 AFJ 3722
Reconsideration
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**Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 3722**

Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph A. Manico, et al

FOLDED INTEGRAL COMPOSITE
IMAGE PRODUCT AND METHOD
OF MAKING

Serial No. US 09/593,645

Filed 13 June 2000

Commissioner for Patents
Washington, D.C. 20231

Sir:

Group Art Unit: 3722

Examiner: M. Henderson

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Deborah J. Walczak
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June 16, 2002
Date

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RESPONSE UNDER 37 CFR 1.116

In response to the Official Action dated April 9, 2002, Applicant respectfully requests reconsideration in view of the following remarks.

REMARKS

The Examiner has rejected claims 1-33 and 44-47 under 35 USC § 103(a) as being unpatentable over Manico et al. in view of Hambright for the reasons set forth in paragraph 2. The Examiner has also rejected claim 34 under 35 USC § 103(a) as being unpatentable over Manico et al. in view of Hambright as applied to claims 29-33 above, and further in view of Fabel for the reasons set forth in paragraph 3. These rejections correspond identically to the rejections previously set forth in paragraphs 15 and 16 of the Official Action of October 3, 2001.

The Examiner in paragraph 4 of the current Official Action has noted applicants arguments filed in response to the Official Action of October 3, 2001 but had found them to be non-persuasive. In particular, the Examiner states that applicants' arguments that the Hambright reference is not an image product, the Examiner submits that Hambright does indeed disclose an image product in its broadest interpretation. In this regard, applicants do not clearly understand what

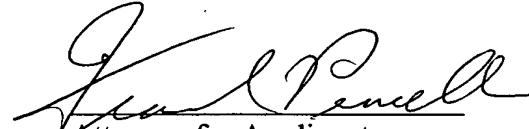
the Examiner is referring to. In its broadest sense, the Hambright reference is directed to a holder that is capable of holding individual album pages. It is the holder that is capable of being folded. The folder itself does not have any image formed thereon. This is in direct contrast to the present invention which is directed to a dual sided integral composite image product. As further set forth in independent claim 1, there is a first support substrate having a separate image layer thereon and a second support substrate having a separate layer thereon which are secured together to form a dual sided integral composite image product. This is clearly not taught or suggested in the Hambright reference. The holder disclosed in Hambright simply holds individual image type products. Thus, the statement that this is in the broadest sense and image product is in complete contrast to what is set forth in the claims. Furthermore, since the Hambright reference is directed to a holder for holding individual type sheets, this teaches away from the present invention when the image product has a fold line about which the integral composite image may be folded. In the Hambright reference, the folding occurs on the holder thus avoiding and eliminating the need or desire for folding the image product. Therefore, not only is Hambright not directed to an image product but it teaches away from providing an image product. Furthermore, there would be no motivation, teaching or suggestion to modify and integral album page of Manico et al. to have a fold line as a holder and Hambright is designed to avoid this construction.

As applicants have pointed out in the previous response, the image product 14 of Hambright is not an image product but a holder designed to receive item 16, see column 3, lines 22-30. In addition, the album page has a main sheet 60 which is made of a relatively thin and flexible transparent material. See column 3, lines 60-63. Thus, this is not directed to an integral image product having fold lines, but simply to a holder as previously discussed. There is no teaching or suggestion that would lead one to fold the integral album page of Manico et al. as taught and claimed by applicant. As the Examiner stated, Hambright is only relied upon for disclosing an image product "in its broadest interpretation" which may be folded into numerous sections. As previously noted, Hambright is not directed to an image product but in fact is directed to a holder totally apart and distinct from the present invention and there would be no motivation to combine Hambright with Manico et al. as suggested by the Examiner.

The Fabel reference does not teach or suggest anything that would render applicants' independent claims unpatentable. As clearly set forth in the independent claims, the image product includes a layer having an image thereon. This is clearly not provided by Hambright.

In summary, applicants respectfully submits that the claims in present form is in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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